

**ORDINANCE NO. 4514**

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES  
ORDAIN AS FOLLOWS:

Section 1. Chapter 8.65 is hereby added to Title 8 of the El Dorado County Ordinance Code to read as follows:

**CHILDREN AND FAMILIES COMMISSION**

8.65.010 Title. This ordinance shall be known as the Children and Families First Commission Ordinance of El Dorado County.

8.65.020 Findings and Purpose. The board of supervisors hereby finds as follows:

The voters of the State of California passed the California Children and Families First Act of 1998. The act recognizes that there is a compelling need in California to create and implement comprehensive, collaborative, and integrated system of information and services to promote, support and optimize early childhood development from the prenatal stage to five (5) years of age.

The act further recognizes that there is a compelling need in California to ensure that early childhood development programs and services are universally and continuously available for children until the beginning of kindergarten. Proper parenting, nurturing, and health care during these early years will provide the means for California's children to enter school in good health, ready and able to learn, and emotionally well developed.

It is the intent of this ordinance to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development. This system should function as a network that promotes accessibility to all information and services from any entry point into the system. It is further the intent of this ordinance to emphasize local decision making, to provide for greater local flexibility in designing delivery systems, and to eliminate duplicate administrative systems.

The California Children and Families First Act of 1998 provides for funding through an excise tax on tobacco products in order to implement the goals and objectives, which are outlines in the act itself. It is the further intent of this ordinance to create El Dorado County's Children and Families First Commission and funding through the act and to implement the goals and objectives outlined in the California Children and Families First Act of 1998.

8.65.030 Definitions. For the purposes of this chapter, the following words and phrases are definitions as follows:

- A. "Act" shall mean the California Children and Families First Act of 1998.
- B. "Board" shall mean the El Dorado County Board of Supervisors.
- C. "Commission" shall mean the Children and Families First Commission of El Dorado County.
- D. "Fund" shall mean the El Dorado County Children and Families First Trust Fund pursuant to Health and Safety Code section 130105.
- E. "Plan" shall mean a county strategic plan adopted by the commission and submitted to the California Children and Families First Commission pursuant to Health and Safety Code section 130140.
- F. "State Commission"

8.65.040 Creation of Commission. There is hereby created the Children and Families First Commission of El Dorado County.

8.65.050 Creation of Trust Fund. The Board of Supervisors hereby authorizes the creation of a local Children and Families First Trust Fund pursuant to subparagraph (A) of paragraph (2) of subdivision (d) of Section 130105 of the Health and Safety Code.

8.65.060 Membership of Commission. The Commission shall be appointed by the Board of Supervisors and shall consist of at least five but not more than nine members.

- A. Two members of the Commission shall be from among the County Health Officer and persons responsible for management of the following County functions: children's services, public health services, behavioral health services, social services, and tobacco and other substance abuse prevention and treatment services.
- B. One member of the Commission shall be a member of the Board of Supervisors.
- C. The remaining members of the Commission shall be from among the persons described in subpart A of this section and persons from the following categories: recipients of project services included in the County strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, or a local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting nurturing and early childhood-development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies.

8.65.070 Bylaws. The Commission shall adopt and amend bylaws subject to the prior approval of the Board of Supervisors.

Bylaws which set forth the manner of appointment, selection, or removal of members of the county commission, the duration and number of terms county commission members shall serve, and any other matters that the Board of Supervisors

deems necessary or convenient for the conduct of the county commission's activities shall be developed by the Commission within 120 days of the adoption of this ordinance and submitted to the Board of Supervisors for approval.

Procedures for the conduct of business by the commission not specified in this ordinance shall be contained in bylaws adopted by the commission, and the Board of Supervisors.

8.65.080 County Strategic Plan- The commission shall adopt an adequate and complete Strategic Plan for the support and improvement of early childhood development within the County.

A. The Plan shall be consistent with, and in furtherance of the purposes of, the Act and any guidelines adopted by the state commission pursuant to subdivision (b) of Section 130125 that are in effect at the time the plan is adopted.

B. The Plan shall, at a minimum, include the following: a description of the goals and objectives proposed to be attained; a description of the programs, services and projects proposed to be provided, sponsored, or facilitated; and a description of how measurable outcomes of such programs, services and projects relating to early childhood development within the County will be integrated into a consumer-oriented and easily accessible system.

C. The commission shall conduct at least one public hearing on the proposed county strategic plan prior to the adoption of the plan and any subsequent revisions to the plan.

D. The commission shall, on at least an annual basis, review the Plan and revise the Plan as may be necessary and appropriate.

E. The proposed Plan, and any subsequent revisions to the Plan, shall be submitted to the Board of Supervisors for approval, prior to submission to the State Commission.

F. The commission shall submit its adopted Strategic Plan and any subsequent revision thereto, to the State Commission.

8.65.100 Annual Audit and Report: Public Hearing. The commission shall prepare and adopt an annual audit and report pursuant to Section 130150 of the Health and Safety Code. The Commission shall conduct at least one public hearing prior to adopting any annual audit and report.

8.65.110 Public Hearing on State Commission's Annual Report. The commission shall conduct at least one public hearing on the annual report prepared by the State Commission pursuant to subdivision (b) of Section 13050 of the Health & Safety Code.

8.65.120 Other Functions. The commission shall perform such other functions as required by applicable state law or regulation, and shall carry out all of its functions in accordance with applicable laws and regulations, including the Ralph M. Brown Act.

8.65.130 Compensation. The members of the commission shall serve without compensation, but may receive actual and necessary expenses as are incurred in carrying out their duties.

8.65.140 Amendments to Ordinance. This Ordinance may be amended from time to time as deemed necessary and appropriate by the board in accordance with the act.

8.65.150 Severability. If any portion or provision of the act or this ordinance is for any reason held to be invalid or unconstitutional, such shall not affect other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or applications thereof, and to this end, the provisions of this ordinance are severable.

Section 2. This act is an urgency ordinance necessary for the immediate preservation of the public peace, health or safety within the meaning of Government Code section 25123 and shall go into immediate effect. The facts constituting the necessity are:

State funding resulting from the passage of Proposition 10 (California Children and Families First Initiative), for early childhood development and smoking prevention programs, begins accruing on January 1, 1999. Section 130100 of the Health and Safety Code requires that the county enact an ordinance creating a County Commission to oversee the expenditure of allocated revenue, prior to January 1, 1999, in order for the county to receive funding. Failure to enact the ordinance by such date, places the county in jeopardy of losing all or part of the county's share which accrues after January 1, 1999, result in the delay of the provisions of new early childhood development and smoking prevention programs, which would have a detrimental effect on the health of the citizens of El Dorado County, particularly the children.

PASSED AND ADOPTED by the Board of Supervisors and the County of El Dorado at a regular meeting of said Board held on the 8<sup>th</sup> day of December 1998.